

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Howie et al.)
Serial No.: CONCURRENT)
Filed: CONCURRENT)

For: Positioner and Method for a Femoral Hip Implant

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application.

Copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant(s) determine(s) that the cited document(s) do not constitute "prior art" under United States

law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully submitted,

Dated: 10-27-2003

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Substitute for FORM PTO-1449		Attorney Docket Number 0103-0035 (ZM0476)		Custom No. 34086	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION		First Named Inventor Howie et al.		Application Number Concurrent	
(Use several sheets if necessary) Sheet <u>1</u> of <u>1</u>		Filing Date Concurrent		Group Art Unit N/A	Examiner N/A
U.S. PATENT DOCUMENTS					
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS
FOREIGN PATENT DOCUMENTS					
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)					
	Brochure © 2002 Zimmer, Inc., VerSys® Hip System, Advocate™, V-Lign® and non V-Lign® Cemented Hip Prosthesis				
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EXAMINER		DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.					